

JS-44C/SDNY
REV. 5/2010

CIVIL COVER SHEET

11CV3760

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Ka Kin Wong, et al. (See Attachment A)

DEFENDANTS

HSBC Bank USA, N.A., et al. (See Attachment B)

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

See Attachment B

See Attachment B

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158 appeal from Bankruptcy Order

Has this or a similar case been previously filed in SDNY at any time? No? Yes? Judge Previously Assigned Hon. Naomi Reice BuchwaldIf yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

ACTIONS UNDER STATUTES

	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
CONTRACT	PERSONAL INJURY	PERSONAL INJURY			
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 610 AGRICULTURE	X [] 422 APPEAL	[] 400 STATE REAPPORTIONMENT
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY PRODUCT LIABILITY	[] 620 OTHER FOOD & DRUG	[] 423 WITHDRAWAL	[] 410 ANTITRUST
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	28 USC 158	[] 430 BANKS & BANKING
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 369 PERSONAL PROPERTY	21 USC 881	28 USC 157	[] 450 COMMERCE
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE PRODUCT LIABILITY	[] 380 OTHER PERSONAL INJURY	[] 630 LIQUOR LAWS	[] 460 DEPORTATION	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 640 RR & TRUCK AIRLINE REGS	[] 820 COPYRIGHTS	[] 480 CONSUMER CREDIT
[] 152 RECOVERY OF DEFECTUALD	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 650 OCCUPATIONAL SAFETY/HEALTH	[] 830 PATENT	[] 490 CABLE/SATELLITE TV
STUDENT LOANS (EXCL. VETERANS)	[] 355 MOTOR VEHICLE	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 660 PERSONAL PROPERTY	[] 840 TRADEMARK	[] 810 SELECTIVE SERVICE
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 385 PROPERTY DAMAGE PRODUCT LIABILITY	[] 670 FAIR LABOR STANDARDS ACT	SOCIAL SECURITY	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[] 160 STOCKHOLDERS SUITS			[] 710 FAIR LABOR STANDARDS ACT	[] 861 HIA (1395f)	[] 875 CUSTOMER CHALLENGE
[] 190 OTHER CONTRACT			[] 720 LABOR/MGMT RELATIONS	[] 862 BLACK LUNG (923)	[] 880 OTHER STATUTORY ACTIONS
[] 195 CONTRACT PRODUCT LIABILITY			[] 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	[] 863 DIWC/DIWVW (405(g))	[] 881 AGRICULTURAL ACTS
[] 186 FRANCHISE			[] 740 RAILWAY LABOR ACT	[] 864 SSID TITLE XVI	[] 892 ECONOMIC STABILIZATION ACT
	ACTIONS UNDER STATUTES		[] 750 OTHER LABOR LITIGATION	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 893 ENVIRONMENTAL MATTERS
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	[] 790 EMPL RET INC SECURITY ACT	[] 871 IRS-THIRD PARTY	[] 894 ENERGY ALLOCATION ACT
				26 USC 7609	[] 895 FREEDOM OF INFORMATION ACT
[] 210 LAND CONDEMNATION	[] 441 VOTING	[] 510 MOTIONS TO VACATE SENTENCE			[] 900 APPEAL OF FEE DETERMINATION UNDER EQUAL ACCESS TO JUSTICE
[] 220 FORECLOSURE	[] 442 EMPLOYMENT	20 USC 2255			[] 950 CONSTITUTIONALITY OF STATE STATUTES
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ ACCOMMODATIONS	[] 530 HABEAS CORPUS	[] 462 NATURALIZATION APPLICATION		
[] 240 TORTS TO LAND	[] 444 WELFARE	[] 535 DEATH PENALTY	[] 463 HABEAS CORPUS ALIEN DETAINEE		
[] 245 TORT-PRODUCT LIABILITY	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 540 MANDAMUS & OTHER	[] 465 OTHER IMMIGRATION ACTIONS		
[] 290 ALL OTHER REAL PROPERTY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 550 CIVIL RIGHTS			
		[] 440 OTHER CIVIL RIGHTS			

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ _____ OTHER _____

JUDGE Hon. Naomi Reice Buchwald

DOCKET NUMBER 11-cv-2721-NRB

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

See Plaintiffs-Appellants' Statement of Issues

(PLACE AN 'X' IN ONE BOX ONLY)

- | | | | | | | |
|---|---|---|---|--|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2a. Removed from State Court | <input checked="" type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment |
| <input type="checkbox"/> 2b. Removed from State Court AND at least one party is pro se. | | | | | | |

(PLACE AN 'X' IN ONE BOX ONLY)

- | | | | |
|---|---|---|--------------------------------------|
| <input type="checkbox"/> 1 U.S. PLAINTIFF | <input type="checkbox"/> 2 U.S. DEFENDANT | <input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. NOT A PARTY) | <input type="checkbox"/> 4 DIVERSITY |
|---|---|---|--------------------------------------|

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	[] 1	[] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[] 2	[] 2	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[] 5	[] 5
CITIZEN OF ANOTHER STATE	[] 12	[] 12	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

See Attachment B

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

See Attachment B

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
(DO NOT check either box if this a PRISONER PETITION.)

DATE 5/20/2011 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO YES (DATE ADMITTED Mo. Aug Yr. 2003)
Attorney Bar Code #4165197

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

ATTACHMENT A

Plaintiffs-Appellants

Ka Kin Wong
Siu Lui Ching
Tim Choy Fung
Lin Tei Tse
Sau King Tse
Lai Kuen Chan
Fuk Shing Wong
Siu Kwan Wong
Yee Ming Shen
Yuen Fun Tang

ATTACHMENT B

The names of all parties, including the parties to the Adversary Proceeding, to the Order appealed from and the names, addresses, and telephone numbers of their respective counsel are as follows:

Genovese, Joblove & Battista, P.A.
Co-Counsel to Plaintiffs-Appellants
100 S.E. 2nd Street, Suite 4400
Miami, FL 33131
Telephone: (305) 349-2300
Telecopier: (305) 349-2310
Robert F. Elgidely, Esq.
John H. Genovese, Esq.
W. Barry Blum, Esq.

Robbins Geller Rudman & Dowd LLP
Co-Counsel to Plaintiffs-Appellants
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: (619) 231-1058
Telecopier: (619) 231-7423
Spencer A. Burkholz, Esq.
Patrick W. Daniels, Esq.

Robbins Geller Rudman & Dowd LLP
Co-Counsel to Plaintiffs-Appellants
58 South Service Road, Suite 200
Melville, NY 11747
Telephone: (631) 367-7100
Telecopier: (631) 367-1173
Samuel H. Rudman, Esq.
David A. Rosenfeld, Esq.

Weil Gotshal & Manges LLP
Attorneys for the Debtors, and Defendants to the Adversary Proceeding, Lehman Brothers Holdings Inc. and Lehman Brothers Special Financing Inc.
767 Fifth Avenue
New York, NY 10153
Telephone: (212) 310-8000
Telecopier: (212) 310-8007
Ralph I. Miller, Esq.
Richard W. Slack, Esq.
Peter Gruenberger, Esq.
Scarlett Collings, Esq.
•

Milbank, Tweed, Hadley & McCloy LLP
Attorneys for the Creditors' Committee
1 Chase Manhattan Plaza
New York, NY 10005
Telephone: (212) 530-5000
Telecopier: (212) 530-5219
Dennis F. Dunne, Esq.

Sidley LLP
Attorneys for Principal Global Investors (Europe) and Principal Global Investors, LLC
787 Seventh Avenue
New York, NY 10019
Telephone: (212) 839-5300
Telecopier: (212) 839-5599
Michael G. Burke, Esq.

Robbins Geller Rudman & Dowd LLP
Co-Counsel to Plaintiffs-Appellants
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: (415) 288-4545
Telecopier: (415) 288-4534
Luke O. Brooks, Esq.
Jason C. Davis, Esq.

Pryor Cashman LLP
Attorneys for HSBC Bank USA, N.A.
7 Times Square
New York, NY 10036
Telephone: (212) 326-0421
Telecopier: (212) 798-6355
Tina M. Moss, Esq.

Orrick, Herrington & Sutcliffe LLP
Attorneys for Ballyrock ABS CDO 2007-1, Ltd.
51 West 52nd Street
New York, NY 10019
Telephone: (212) 506-5000
Telecopier: (212) 506-5151
Steven J. Fink, Esq.
Thomas C. Mitchell, Esq.

Reed Smith LLP
Attorneys for The Bank of New York Mellon, The Bank of New York Mellon Trust Company, N.A. and BNY Corporate Trustee Services Limited
599 Lexington Avenue
New York, NY 10022
Telephone: (212) 521-5400
Telecopier: (212) 521-5450
Eric A. Schaffer, Esq.
Michael J. Venditto, Esq.

Clifford Chance US LLP
Attorneys for Credit Agricole Corporate and Investment Bank
31 West 52nd Street
New York, NY 10019
Telephone: (212) 878-8000
Telecopier: (212) 878-8375
Andrew P. Brozman, Esq.
Sara M. Tapinekis, Esq.

Nixon Peabody LLP
Attorneys for Wellington Management Company, LLP
437 Madison Avenue
New York, NY 10022
Telephone: (212) 940-3000
Telecopier: (212) 940-3111
Mark N. Berman, Esq.

Nixon Peabody LLP
Attorneys for Deutsche Bank Trust Company Americas and Deutsche Bank National Trust Company
437 Madison Avenue
New York, NY 10022
Telephone: (212) 940-3000
Telecopier: (212) 940-3111
Christopher M. Desiderio, Esq.
David H. Lee, Esq.

Chadbourne & Parke LLP
Attorneys for HSBC Bank USA, N.A. as Trustee
30 Rockefeller Plaza
New York, NY 10112
Telephone: (212) 408-5100
Telecopier: (212) 541-5369
David M. LeMay, Esq.
Christy L. Rivera, Esq.

Sutherland Asbill & Brennan LLP
Attorneys for Aviva S.p.A., Aviva Italia Holding S.p.A., Aviva Vita S.p.A., Aviva Life S.p.A., Aviva Italia S.p.A., Aviva Assicurazioni S.p.A. and Aviva Previdenza S.p.A.
1275 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 383-0100
Telecopier: (202) 637-3593
Mark D. Sherrill, Esq.

Chapman and Cutler LLP
Attorneys for U.S. Bank, N.A. as Trustee
111 West Monroe Street
Chicago, IL 60603
Telephone: (312) 845-3000
Telecopier: (312) 701-2361
James E. Spiotto, Esq.
Ann E. Acker, Esq.
Franklin H. Top, III, Esq.

Alston & Bird, LLP
Attorneys for Bank of America, N.A.
Successor by Merger to Lasalle Bank, N.A.
90 Park Avenue
New York, NY 10016
Telephone: (212) 210-9400
Telecopier: (212) 210-9444
Michael Johnson, Esq.

Cahill Gordon & Reindel LLP
Attorneys for Defendant HSBC Bank USA, N.A.
80 Pine Street
New York, NY 100050-1702
Telephone: (212) 701-3000
Telecopier: (212) 269-5420
Howard G. Sloane
Patricia Farren
David G. Januszewski